

Appl. No. 10/799,801
Final Amendment and/or Response
Reply to final Office action of 2 November 2005

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REMARKS / DISCUSSION OF ISSUES

Claims 6 and 12-27 are pending in the application. Claims 7-11 are canceled herein. Admittance of this amendment is proper because claims have been canceled, and the remaining claims are amended to correspond to this cancellation. No new matter is added, and an additional search is not required.

The Office action objects to the Information Disclosure Statement that was filed on 12 March 2004. A replacement Information Disclosure Statement is attached.

The applicants maintain their traversal of the election requirement, as presented in the applicants' prior response of 7 April 2005. The applicants respectfully maintain that the asserted basis for the election requirement is unfounded, and the subsequent Office actions have failed to adequately address the objections raised in the applicants' response. The Office action cites the use of different steps for embodying the invention as a basis for a restriction requirement. The applicants respectfully maintain that claims that merely recite different steps for embodying an invention do not constitute sufficient grounds for an election requirement. As specifically directed in MPEP 808.02:

"Where, however, the classification is the same and the field of search is the same and there is no clear indication of separate future classification and field of search, ***no reasons exist for dividing among related inventions.***"

The Examiner fails to provide a justification for disregarding the clear directive of MPEP 808.02, and the applicants object to incurring the added expense of filing and prosecuting a separate patent application, as well as the added expenses associated with the issuance and maintenance of a separate patent, based on an election requirement that is contrary to the MPEP.

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The Office action rejects claims 12-13, 15, 20, and 22 under 35 U.S.C. 102(b) over Crawford et al. (USP 5,928,819, hereinafter Crawford). The applicants respectfully traverse this rejection.

Claim 12, upon which claims 13, 15, 20, and 22 depend, claims a method that includes providing a pattern for processing the reactive liquid crystal material that defines first area segments and second area segments of the film, wherein the first optical retardation is configured to provide an optical twist in the range of 80 to 100 degrees, and the second optical retardation is configured to provide an optical twist at or near zero degrees.

Crawford teaches a method of providing a patterned liquid crystal film that includes 'core' regions and 'clad' regions, each region having a different index of refraction. Crawford's regions each have different orientations of the liquid crystal molecules (vertical and horizontal). Crawford teaches that light traveling through the core regions undergoes a twist (column 2, lines 41-45), but is silent with regard to providing different twists to the different regions, and silent with regard to providing specific twists in each region. Additionally, Crawford teaches that one of the regions is designed to block the transmission of light, and thus the concept of providing an optical twist through this region is meaningless.

Because Crawford fails to teach providing a first optical retardation that is configured to provide an optical twist in the range of 80 to 100 degrees, and a second optical retardation that is configured to provide an optical twist at or near zero degrees, as specifically claimed in claim 12, the applicants respectfully maintain that claims 12-13, 15, 20, and 22 are patentable under 35 U.S.C. 102(b) over Crawford.

With regard to claims 6 and 14, the applicants specifically claim forming a patterned film by selective removal of liquid crystal material in select regions. Crawford does not teach the removal of liquid crystal material to form a patterned film.

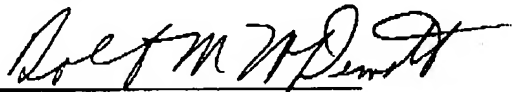
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The Office action indicates that claims 23-27 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Claim 23, upon which claims 24-27 depend, is correspondingly amended herein.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Robert M. McDermott
Reg. 41,508
Att'y for Applicant(s)

1824 Federal Farm Road
Montross, VA 22520
Phone: (804) 493-0707
Fax: (215) 243-7525